

REMARKS-General

1. The newly drafted independent claim 21 incorporates all structural limitations of the original claim 1 and includes further limitations previously brought forth in the disclosure. No new matter has been included. All new claims 21-40 are submitted to be of sufficient clarity and detail to enable a person of average skill in the art to make and use the instant invention, so as to be pursuant to 35 USC 112.

Regarding to Rejection of Claims 1-20 under 35USC102

2. Pursuant to 35 U.S.C. 102, "a person shall be entitled to a patent unless:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States.

3. In view of 35 U.S.C. 102(b), it is apparent that a person shall not be entitled to a patent when his or her invention was patent in this country more than one year prior to the date of the application for patent in the United States.

4. However, the Dushman patent (6,408,904) and the instant invention are not the same invention according to the fact that the independent claims 1, 9 and 17 of the Dushman patent does not read upon the instant invention and the independent claim 21 of the instant invention does not read upon the Dushman patent too. Apparently, the instant invention, which discloses a water bottle cap with a plugging guider, should not be the same invention as the Dushman patent which discloses a hygienic bottle cap with a protrusion.

5. Dushman fails to anticipate the distinctive features of:

(i) a plugging guider extended from the sealing member at the retaining edge portion thereof for guiding the spigot adapter to inclinedly slide towards the breakable edge portion of the sealing edge (as claimed in claim 21);

(ii) when the water bottle is installed on a water dispenser, the spigot adapter of the water dispenser being slid along the plugging guider to break the sealing member at the breakable edge portion thereof so as to plug into the water passage while the

retaining edge portion of the sealing member is remained to attach to the guiding channel (as claimed in claim 21);

(iii) the plugging guider having a slanted guiding surface extended towards the breakable edge portion of the sealing edge for substantially guiding the spigot adapter to *inclinedly* slide towards the breakable edge portion of the sealing edge along the guiding surface of the plugging guider (as claimed in claim 22);

(iv) wherein the plugging guider is integrally protruded from the sealing member at a position offset from a center of the sealing member to align with the breakable edge portion of the sealing edge (as claimed in claims 23 and 24);

(v) the breakable edge portion of the sealing member being formed by physically reducing the thickness of a section of the sealing edge such that the retaining edge portion of the sealing edge is thicker than the breakable edge portion of the sealing edge (as claimed in claims 25 to 27);

(vi) the sealing member further having a tearing groove formed along a section of the sealing edge to define the breakable edge portion thereof, such that the retaining edge portion of the sealing edge is thicker than the breakable edge portion of the sealing edge (as claimed in claims 28 to 30);

(vii) the sealing edge of the sealing member being integrally extended from an inner wall of the guiding channel at a bottom edge thereof to seal the water passage (as claimed in claim 31 to 33);

(viii) a cap cover detachably mounted on the sealing platform to enclose the guiding channel so as to protect the sealing member from being unsealed accidentally (as claimed in claims 34 to 37); and

(ix) the cap cover comprising a cover panel sealedly mounted on the sealing platform in a detachably attaching manner and a cover holder downwardly extended from the cover panel to slidably insert into the guiding channel so as to detachably cover the cover panel on the sealing platform (as claimed in claims 38 to 40).

6. Dushman merely anticipates (column 7, lines 22-25) the frangible path or score line 142 defines the flapper 140 in the initial or closed position and enables the flapper

140 to be readily separated from the cylindrical wall 132 upon insertion of the probe 18. As described in column 8, lines 53-56, Dushman merely describes that "the axis of the probe is preferably substantially **perpendicular** to the plane P2 in which the score line is disposed as the probe is inserted into the wall". In column 9, lines 48-55, Dushman further discloses that "the flapper 140 preferably includes one or more **protrusions** 146a, 146b supported on an underside 148 of the flapper to improve separation of the flapper from the cylindrical wall 132" and "the protrusion is designed to be engaged by the tip of the blunt tip probe 18 in order to **concentrate the force of the probe 18** to facilitate separation of the flapper 140 from the cylindrical wall 132 along the score line 142". It is clearly shown in Fig. 15 that **the protrusion is formed on the flapper 140 at the score line 142** such that when the probe 18 inserts into the wall, the penetration force of the probe 18 is concentrated at the protrusion to tear off the flapper 140 at the score line 142. In other words, the penetration force of the probe 18 converges at the protrusion which may accidentally break the entire flapper 140 from the cylindrical wall.

7. According to the instant invention, the plugging guider is extended from the sealing member at **the retaining edge portion** thereof (not the score line as taught by Dushman) for guiding the spigot adapter to **inclinedly** slide towards the breakable edge portion of the sealing edge (not the perpendicular orientation as taught by Dushman). Therefore, when the water bottle is installed on a water dispenser, the spigot adapter of the water dispenser is slid along the plugging guider to break the sealing member at the breakable edge portion thereof so as to plug into the water passage while the retaining edge portion of the sealing member is remained to attach to the guiding channel. Therefore, the penetration force of the spigot adapter is switched by the plugging guider and is converged at the breakable edge portion of the sealing member (not the protrusion as taught by Dushman), so as to ensure the retaining edge portion of the sealing member being remained to attach to the guiding channel.

8. The applicant respectfully submits that Dushman never mentions any plugging guider to guide the spigot adapter to inclinedly slide towards the breakable edge portion of the sealing member to break the breakable edge portion of the sealing member from the guiding channel.

9. Applicant believes that for all of the foregoing reasons, all of the claims are in condition for allowance and such action is respectfully requested.

The Cited but Non-Applied References

10. The cited but not relied upon references have been studied and are greatly appreciated, but are deemed to be less relevant than the relied upon references.

11. In view of the above, it is submitted that the claims are in condition for allowance. Reconsideration and withdrawal of the objection are requested. Allowance of claims 21-40 at an early date is solicited.

12. Should the Examiner believe that anything further is needed in order to place the application in condition for allowance, he is requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

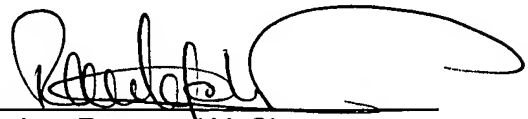


Raymond Y. Chan
Reg. Nr.: 37,484
108 N. Ynez Ave.
Suite 128
Monterey Park, CA 91754
Tel.: 1-626-571-9812
Fax.: 1-626-571-9813

CERTIFICATE OF MAILING

I hereby certify that this corresponding is being deposited with the United States Postal Service by First Class Mail, with sufficient postage, in an envelope addressed to "Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on the date below.

Date: February 22, 2005

Signature: 
Person Signing: Raymond Y. Chan